

# HOUSE . . . . . No. 2175

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By Mr. Timilty of Milton, petition of Walter F. Timilty and John W. Scibak for legislation to establish the state highway public safety fund. Transportation.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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### AN ACT TO ESTABLISH THE STATE HIGHWAY PUBLIC SAFETY FUND.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     There shall be established and set up on the books of the com-  
2     monwealth a separate fund to be known as the State Highway  
3     Public Safety Fund for the purposes of reimbursing the costs of  
4     providing emergency services by certain fire and police depart-  
5     ments of certain cities and towns with state highways within its  
6     city or town boundaries. Any such amounts expended shall be for  
7     the delivery of public safety services and not for any costs attrib-  
8     utable to municipal reimbursements owed under the chapter 90  
9     program, so-called, the public works and economic development  
10    programs, the costs of administrative, maintenance, engineering  
11    and environmental operations of the department of highways and  
12    the costs associated with right of way acquisition, design, utility  
13    and force account work. Cities and towns shall apply for annual  
14    reimbursements in an amount not to exceed one percent of its  
15    respective department public safety budget for the year in which  
16    the reimbursement is sought.

17    Subject to appropriation the legislature shall allocate the neces-  
18    sary funding to the department of public safety for the purpose of  
19    effectively implementing this act. Any revenues credited to the  
20    fund shall include any appropriations to the fund, amounts trans-  
21    ferred to the fund from other instrumentalities of the common-  
22    wealth, transfers to said fund from other funds of the  
23    commonwealth or private entities both for profit or not for profit,  
24    any interest earned on balances contained therein and all other

25 revenues specifically dedicated to the fund. The fund shall be  
26 held in trust by the state treasurer exclusively for the purposes  
27 established herein. The state treasurer shall be the treasurer and  
28 custodian of the fund and shall have the custody of its monies and  
29 securities.

30 The state treasurer may invest any monies held for the credit of  
31 the fund instruments permitted under sections 38, 38A, 38C and  
32 49 of Chapter 29 of the General Laws.